

ACTS SUPPLEMENT

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Act 44 *Arbitration and Conciliation (Amendment) Act* **2024**

**THE ARBITRATION AND CONCILIATION
(AMENDMENT) ACT, 2024**

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**THE ARBITRATION AND CONCILIATION
(AMENDMENT) ACT, 2024**

An Act to amend the Arbitration and Conciliation Act, Cap. 5 to mainstream the functions of the Centre for Arbitration and Dispute Resolution into the Ministry responsible for justice; to abolish the Centre for Arbitration and Dispute Resolution as a corporate entity and re-establish it as a department in the Ministry responsible for justice and for related purposes.

DATE OF ASSENT: 16th December, 2024

Date of Commencement: 23rd December, 2024

BE IT ENACTED by Parliament as follows:

1. Interpretation

In this Act, unless the context otherwise requires, “Ministry” means the Ministry responsible for justice.

2. Objectives of this Act

(1) The main objective of this Act is to give effect to the Government Policy for Rationalisation of Government Agencies and Public Expenditure adopted by the Cabinet on 22nd February, 2021 and contained in Cabinet Minute No. 43(CT 2021).

(2) Without prejudice to the general effect of subsection (1), the following objectives shall be deemed to fall under the objective specified in subsection (1) —

- (a) to enable the mainstreaming of the Centre for Arbitration and Dispute Resolution into the Ministry responsible for justice thereby, *inter alia*, relieving the Government of the financial drain on its resources and the burden of wasteful administration and expenditure;
- (b) to facilitate efficient and effective service delivery by clearly delineating the mandates and functions of the Ministry in respect to the Centre for Arbitration and Dispute Resolution, thereby avoiding duplication of mandates and functions;
- (c) to promote coordinated administrative arrangements, policies, and procedures for—
 - (i) ensuring the efficient and successful management, financial accounting and budgetary discipline of the Centre for Arbitration and Dispute Resolution;
 - (ii) enabling the Government to play its role more effectively; and
 - (iii) enforcing accountability;
- (d) to restructure and re-organise the Centre for Arbitration and Dispute Resolution by eliminating bloated structures and functional ambiguities.

3. Purpose of amendment of Cap. 5

The purpose of amending the Arbitration and Conciliation Act is to mainstream the functions of the Centre for Arbitration and Dispute Resolution established under the Act into the Ministry and to abolish the Centre for Arbitration and Dispute Resolution as a corporate entity and re-establish it as a department in the Ministry.

4. Dissolution of Centre for Arbitration and Dispute Resolution

On the commencement of this Act, the Centre for Arbitration and Dispute Resolution shall be abolished.

5. Amendment of section 67 of Cap. 5

The Arbitration and Conciliation Act, hereinafter referred to as the “principal Act”, is amended by substituting for section 67 the following—

“67. Centre for Arbitration and Dispute Resolution

There is established in the Ministry a department to be known as the Centre for Arbitration and Dispute Resolution.”

6. Repeal of section 69 of principal Act

Section 69 of the principal Act is repealed.

7. Repeal of section 70 of principal Act

Section 70 of the principal Act is repealed.

8. Repeal of section 71 of principal Act

Section 71 of the principal Act is repealed.

9. Repeal of section 72 of principal Act

Section 72 of the principal Act is repealed.

10. Repeal of section 73 of principal Act

Section 73 of the principal Act is repealed.

11. Repeal of section 74 of principal Act

Section 74 of the principal Act is repealed.

12. Repeal of section 75 of principal Act

Section 75 of the principal Act is repealed.

13. Repeal of section 76 of principal Act

Section 76 of the principal Act is repealed.

14. Repeal of section 77 of principal Act

Section 77 of the principal Act is repealed.

15. Repeal of section 78 of principal Act

Section 78 of the principal Act is repealed.

16. Repeal of section 79 of principal Act

Section 79 of the principal Act is repealed.

17. Repeal of section 80 of principal Act

Section 80 of the principal Act is repealed.

18. Repeal of section 81 of principal Act

Section 81 of the principal Act is repealed.

19. Repeal of section 82 of principal Act

Section 82 of the principal Act is repealed.

20. Savings

(1) On the commencement of this Act, all the property, assets, rights, obligations, and liabilities of the Centre for Arbitration and Dispute Resolution shall vest in the Ministry.

(2) Any proceedings commenced by or against the Centre for Arbitration and Dispute Resolution may be continued by or against the Attorney General.

(3) Any member of the Council and staff of the Centre for Arbitration and Dispute Resolution serving immediately before the commencement of this Act shall be paid their terminal benefits in accordance with the terms and conditions of their service.

(4) Compensation is not payable to any member of the Council for loss of office resulting from the abolition of the Council by this Act.